



FCTC

WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL

ISSUE 3, September 2009

Status of the Convention

Number of Parties : (as of 15 September 2009)	167
New ratifications : (16 June - 15 September 2009)	2 (Bosnia and Herzegovina, Liberia)
New entry into force : (16 June - 15 September 2009)	1 (Sierra Leone)

Regularly updated list of Parties: http://www.who.int/fctc/signatories_parties

In this issue:

■ INB on a Protocol on Illicit Trade in Tobacco Products	Page 1
■ Working Groups.....	Page 2
■ Implementation News	Page 2
■ Views from Parties.....	Page 3
■ Secretariat News	Page 4
■ Calendar of Events.....	Page 5

Conference of the Parties - highlights

The second meeting of the Bureau of the Conference of the Parties was held on 23-24 July 2009. The Bureau reviewed, among other issues, the implementation of the 2008-2009 work plan and budget, the outcome of the third session of the Intergovernmental Negotiating Body on a Protocol on Illicit Trade in Tobacco Products (INB3) and approved amendments to the Group 2 questions of the reporting instrument of the Convention.

The Bureau also decided that the **fourth session of the Conference of the Parties** will be held in Punta del Este (Uruguay) from 15 to 20 November 2010.

Intergovernmental Negotiating Body on a Protocol on Illicit Trade in Tobacco Products (INB) - highlights

The third session of the Intergovernmental Negotiating Body on a Protocol on Illicit Trade in Tobacco Products (INB3) was held from 28 June to 5 July 2009 in Geneva. The session was attended by representatives from 136 Parties to the Convention, 13 States non-Parties, two intergovernmental and seven nongovernmental organizations accredited as observers to the Conference of the Parties.

In accordance with the rules of procedure, INB3 elected its officers to constitute the Bureau of the INB for a term of office starting from INB3 until COP4:

Chairman:

Mr Ian Walton-George (European Community)

Vice-Chairmen:

Dr Thomas Vinit (Papua New Guinea), Mr Hassan Mohamed (Maldives), Mrs Loretta Asiedu (Ghana),

Dr Easa Al Mansouri (United Arab Emirates) and Dr Justino Regalado Pineda (Mexico).

INB3 had an intensive eight days of work in both plenaries and committees resulting in a summary document: *"Negotiating text for a protocol to eliminate illicit trade in tobacco products"*. This document forms the basis for further negotiations and reflects the status of the discussion reached at this session of INB. The document can be accessed at: http://apps.who.int/gb/fctc/PDF/it3/FCTC_COP_INB-IT3_5Rev1-en.pdf

INB3 also adopted a decision ([http://apps.who.int/gb/fctc/PDF/it3/FCTC_COP_INB-IT3\(1\)-en.pdf](http://apps.who.int/gb/fctc/PDF/it3/FCTC_COP_INB-IT3(1)-en.pdf)) on further work during the intersessional period leading to INB4. It decided, in particular, to establish two drafting groups on:

- 1) Articles 7, 5 and 6, then, time permitting, Articles 10 and 11; and
- 2) Articles 12 and 31 through 33, then Articles 13, 14 and 30

In addition to the two drafting groups, the INB also requested the Convention Secretariat to prepare a paper reflecting the options for the institutional and financial arrangements addressed in Parts VI and VII of the Negotiating text, and the financial implications of implementing those options, in consultation with Permanent Missions of Parties in Geneva. All documents related to the third session can be accessed at: http://www.who.int/fctc/inb/third_session_inb.

Dates and venue of INB4

The fourth session of the INB will be held in the International Conference Centre in Geneva from 14 to 21 March 2010.

Working groups established by the Conference of the Parties

Working group on Article 14

The first meeting of the working group was held from 2 to 4 September 2009 in Seoul, hosted by the Government of the Republic of Korea. The meeting was attended by 27 Parties and 8 observers. Participants discussed their experiences related to demand reduction measures concerning cessation of tobacco use and treatment of tobacco dependence. After the review of national experiences an outline for draft guidelines developed by Key Facilitators was discussed. Taking into account the size of the group and broad range of issues to be covered, decision was made about co-opting Ghana, the Republic of Korea and the United Kingdom of Great Britain and Northern Ireland as Key Facilitators. The Key Facilitators will take the lead in the development of the next draft of the guidelines for consideration by the working group at its second meeting. The group also decided to hold its second meeting in New Zealand in February 2010.

Working group on economically sustainable alternatives to tobacco growing (in relation to Articles 17 and 18 of the WHO FCTC)

The first meeting of the working group was held from 16 to 18 September 2009 in New Delhi, hosted

by the Government of India. The group discussed the plan of work for the upcoming period, the areas to be covered and a general timeline. The group developed a draft outline of policy options with related recommendations focusing on how a transition to economically viable alternatives to tobacco can be achieved. The group also discussed the development of a standardized framework for assessment of viability and sustainability of tobacco growing.

The working group decided to present a progress report at COP4. It also decided that Key Facilitators will further elaborate the draft on policy options and recommendations reflecting the outcome of deliberations at the first meeting. The group accepted the co-option of Turkey to the group of Key Facilitators. The second meeting of the working group is tentatively planned in Ghana in spring 2010.

Working groups on Articles 9&10 and 12

These two working groups will meet later this year. For the dates and locations of their meetings please check the "Calendar of Events" section below.

More information on working groups:
http://www.who.int/fctc/cop/working_groups

Implementation news

Reports of the Parties

Between 16 June and 15 September 2009 the Secretariat received reports on the implementation of the Convention from Bahrain, Chad, the Democratic Republic of Congo, Djibouti, Lebanon, Libyan Arab Jamahiriya, Papua New Guinea, Rwanda, Swaziland and Tonga. For Party reports please visit:
http://www.who.int/fctc/reporting/party_reports

Overall, of the 147 Parties due to have reported by 15 September 2009, the Secretariat has received 123 reports (84%, up from 76% at the end of March 2009).

News from Parties

In **Brazil**, the state of Sao Paulo enacted, on 7 August 2009, a new smoke-free law. Sao Paulo is the most populous state of Brazil with around 40 million people. The new law bans smoking in all public or private spaces "of collective use" such as: bars, restaurants, shops, offices and shared areas in apartment buildings. Nearly 80% of bars and restaurants have already implemented the ban, which is supported by a majority of smokers as well as

non-smokers. <http://www.leiantifumo.sp.gov.br/usr/share/documents/legislacao.pdf>

In **Brunei Darussalam**, National Committee on Tobacco Control was set up on 21 June 2009 to discuss plans and strategies to reduce the prevalence of smoking in the country and create a smoke-free generation in the long-term. The first meeting of the Committee was attended by ministers, deputy ministers and permanent secretaries of various ministries.

The committee was formed to examine and provide direction, advice and guidance on the National Tobacco Control Programme. It is also tasked with the responsibility of implementing the WHO Framework Convention on Tobacco Control and the 2005 Tobacco Order, in addition to increasing coordination with various sectors involved in the implementation of the National Tobacco Control Programme. http://www.bt.com.bn/en/home_news/2009/06/21/national_tobacco_control_panel_to_create_smoke_free_society

In **Colombia**, the President signed the new anti-tobacco act on 21 July 2009, following the ratification of the WHO Framework Convention

on Tobacco Control in April 2008. The legislation strengthens Colombia's existing tobacco control regulations by requiring all indoor work places and public places be immediately smoke-free; prohibiting tobacco advertising, promotion and sponsorship, and the use of terms such as 'light' and 'mild' on packaging; requiring large, pictorial health warnings on tobacco packaging (covering 30% of the front and back) within a year; preventing the sale of tobacco products to minors; and mandating public education programs on the deadly effects of tobacco use. The new act can be accessed at: <http://web.presidencia.gov.co/leyes/2009/julio/ley133521072009.pdf>

In **Greece**, the tobacco act adopted on 23 December 2008 entered into force on 1 July 2009 and makes almost all public places smoke-free. The few exemptions include: companies with more than 50 employees will be able to set up dedicated smoking areas on their premises; small cafes and restaurants with premises measuring less than 70 square meters can choose to become tobacco-free; gambling establishments and mental health institutions have to apply restrictions. <http://www.facebook.com/topic.php?uid=96448393269&topic=11162>

The **European Commission** adopted a proposal for Council Recommendations on smoke-free environments on 30 June 2009. Presented by Health Commissioner Androulla Vassiliou, the recommendations call upon Member States to implement Article 8 of the WHO Framework Convention on Tobacco Control and protect their citizens from exposure to tobacco smoke in enclosed public places, workplaces and public transport by 2012. The document can be accessed at: http://ec.europa.eu/health/ph_determinants/life_style/Tobacco/Documents/tobacco_prec2009_en.pdf

In **Pakistan**, the government introduced a complete ban of smoking and use of any tobacco product in any public place by withdrawing the Statutory Rules and Orders (SRO) on designated smoking areas. Earlier, all public and private offices were allowed to designate a separate place for smokers to smoke within office premises with adequate arrangements to protect the health of non-smokers. The government has already declared some public places tobacco free, including: hospitals, dispensaries, other health care establishments, educational institutions, offices, conference rooms, all domestic flights, restaurants, buses, wagons, trains, indoor stadiums, gymnasiums, lounges of airports, waiting rooms at railway stations and waiting rooms at bus stations. <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/11-government-bans-smoking-in-public-il-09>

In **South Africa**, two pieces of legislation that were passed by the Parliament in 2007 and 2008, respectively, entered into force on 21 August 2009. The new measures which are to be implemented under the new legislation include: increase of fines for breaking the regulation of smoking in public places; banning smoking at the entrances of buildings, partially enclosed spaces and in a car if a child under 12 years of age is present; restricting smoking in sports stadiums, railway platforms, bus stops and outdoor dining areas; banning sales of tobacco products to and by minors under 18 years of age; banning tobacco companies from performing marketing activities targeting young people; implementing picture-based health warnings pending the development of a regulation by the Ministry of Health by the end of this year. For more information please contact Vimla Moodley at: MoodlID@health.gov.za.

**Views from Parties:
Turkey (sustained political commitment for tobacco control)**

In Turkey, the implementation of smoke-free law is the outcome of a process which started in 2004 when Turkey ratified the WHO Framework Convention on Tobacco Control and was driven all along the way by a sustainable high level political commitment.

During its debate in the Turkish Grand National Assembly the smoke-free legislation attracted significant support from both governing as well as opposition parties, despite the objections of the tobacco industry. Turkey has taken a stepwise approach in implementing the law, by starting with a ban in public places in May 2008, followed by the extension of the ban to the whole hospitality sector, including restaurants, bars, cafeterias and other enterprises on 19 July 2009.

The two leaders of the process of developing the legislation were the Prime Minister and the Minister of Health. They were strongly supported in this process by the Head of the Commission on Health, Family, Work and Social Affairs of the Turkish National Assembly. Such high level political support and determination for smoke-free legislation largely contributed to the awareness on and acceptance of the draft law by the government, legislators, implementing agencies and the public.

One expression of the high level political commitment was the declaration of the Prime Minister which he made in public stating that he considers the fight against tobacco equally important with the fight against terrorism. (Dr Peyman Altan, Head, Tobacco Control Department, Ministry of Health, Turkey)

In **Turkey**, the legislation concerning smoking in public places, already in force since May 2008, was extended to restaurants, bars, cafeterias and other enterprises belonging to hospitality sector on 19 July 2009. (For more information please contact Dr. Peyman Altan, Ministry of Health at: peymanaltan@gmail.com.)

See the “**Views from Parties**” section for information on the process which led to this important achievement.

In **Uruguay**, a new ministerial ordinance (number 466/2009) was issued on 1 September 2009 requiring a new set of six graphic warnings to cover 80% of the front and back of the package. If this measure is implemented, Uruguay will have the largest cigarette package warnings in the world. The new graphic images will be required to appear on packages 180 days from the issuance of the ordinance on 1 March 2010. At present, cigarette package warnings in Uruguay cover 50% of the package front and back. The ordinance also requires the following message to be published on a side of a package, in black on white: “Este producto contiene nicotina, alquitran y monóxido de carbono” (“This product contains nicotine, tar and carbon monoxide.”) To access the text of the ordinance and to see the required graphic warnings, visit the website of the Ministry of Public Health: http://www.msp.gub.uy/uc_3410_1.html

Secretariat news

Preparation of the 2009 report on the global implementation of the Convention

In line with decision FCTC/COP1(14) the Convention Secretariat is expected to provide annual analysis of the progress being made internationally in implementation of the Convention. This year’s report will reach Parties at the end of 2009 or early 2010 and will be based on the analysis of 117 reports received by 15 July 2009 by the Convention Secretariat.

Report to COP4 on standardization and harmonization

On 2 June 2009 the Convention Secretariat organized a meeting of WHO and other international experts to consider and discuss the key elements of a report on the measures needed for the standardization of data on tobacco use and tobacco control policy as well as for the harmonization of data collection initiatives. A draft outline of this report is being developed reflecting the deliberations of this meeting. The draft will be subject to further consultations with experts and Parties. A second expert meeting aimed at further discussing and drafting the report is planned for late January 2010. The Secretariat will also seek the guidance of the Bureau of the Conference of the

Parties on this forthcoming report at its meeting in November 2009.

Technical seminars on WHO FCTC

A series of technical seminars will be organized by the Convention Secretariat to strengthen awareness on the Convention both within and outside the WHO. Participation will also be sought from secretariats of other treaties and international bodies. Seminars will feature a participatory approach (organized in the form of discussions) and will also include the planned markup of the fifth anniversary of the entry into force of the Convention in late February 2010.

Needs assessment missions

In line with decisions of the Conference of the Parties on financial resources and mechanisms of assistance the Convention Secretariat is organizing joint needs assessment exercises with interested governments. The missions aim at providing support to countries with a view to assessing their needs, identifying priorities for the implementation of WHO FCTC and promoting access to internationally available resources on the basis of identified needs.

The first countries involved in this exercise are Lesotho, Bangladesh, Jordan and Papua New Guinea, with more countries being planned for late 2009 and 2010.

Observers

Meeting with observers during INB3

During INB3 the Convention Secretariat invited international intergovernmental and nongovernmental organizations for a meeting to review the progress made in the development of the protocol and to identify areas of collaboration for the future. Representatives of six organizations (Corporate Accountability International, Framework Convention Alliance on Tobacco Control, International Union Against Cancer, International Union Against Tuberculosis and Lung Disease, World Customs Organization and World Heart Federation) participated at the meeting.

WHO FCTC implementation workshops of the FCA

The Framework Convention Alliance (FCA) continues the organization of its series of meetings to strengthen the implementation of the Convention. A workshop for interested NGOs and national experts from the Eastern Mediterranean region of the WHO will be held from 26 to 27 of October 2009 in Damascus, Syria. Two other meetings of this kind are being planned by the organization later this year: one for the South-East Asian region in Katmandu, Nepal (2-6 December 2009) and one for the Maghreb region in Tunis, Tunisia (15-17 December 2009).

Calendar of events

Drafting Groups established by INB		
30 September – 2 October 2009	Geneva	First meeting of INB Drafting Group 1
7 – 9 October 2009	Geneva	First meeting of INB Drafting Group 2
23 – 25 November 2009	Geneva	Second meeting of INB Drafting Group 1
26 – 28 November 2009	Geneva	Second meeting of INB Drafting Group 2
Working groups established by COP		
20 – 22 October 2009	Amman, Jordan	Sixth meeting of the working group on Articles 9 & 10
18 – 20 November 2009	Istanbul, Turkey	Second meeting of the working group on Article 12
Workshops on the implementation of WHO FCTC		
3 – 5 November 2009	Cairo, Egypt	For the Eastern Mediterranean Region
Workshops for the dissemination of COP guidelines		
3 – 5 February 2010	Singapore	For the Western Pacific Region and ASEAN countries
Intergovernmental Negotiating Body on a Protocol on Illicit Trade in Tobacco products		
14 – 21 March 2010	Geneva	Fourth session of the Intergovernmental Negotiating Body
Conference of the Parties		
15 – 20 November 2010	Punta del Este, Uruguay	Fourth session of the Conference of the Parties
Meeting with Permanent Missions		
11 December 2009	Geneva	Meeting in relation to the paper of the Secretariat on institutional and financial arrangements under the future protocol on illicit trade in tobacco products

Contact us

The principal email address of the Convention Secretariat is: fctcsecretariat@who.int. All messages sent to this address will be directed to respective officers for follow up.

For specific functions, the Secretariat also operates other generic email addresses as follows:

conventionnews@who.int - can be used when communicating on or providing input for the newsletter edited by the Convention Secretariat.

copreporting@who.int - can be used for the submission of implementation reports of Parties or any enquiry related to reporting under the Convention.

fctcpartnerships@who.int - can be used for questions related to technical assistance in the implementation of the Convention.

Convention News - A quarterly publication of the Convention Secretariat WHO Framework Convention on Tobacco Control. Editorial office: Convention Secretariat, WHO Framework Convention on Tobacco Control. Address: World Health Organization, 20 Avenue Appia, CH 1211, Geneva 27. Email: conventionnews@who.int

© World Health Organization 2009. All rights reserved. Publications of the World Health Organization can be obtained from WHO Press, World Health Organization, 20 Avenue Appia, 1211 Geneva 27, Switzerland (tel.: +41 22 791 3264; fax: +41 22 791 4857; e-mail: bookorders@who.int). Requests for permission to reproduce or translate WHO publications – whether for sale or for noncommercial distribution – should be addressed to WHO Press, at the above address (fax: +41 22 791 4806; e-mail: permissions@who.int).

All reasonable precautions have been taken by the World Health Organization to verify the information contained in this publication. However, the published material is being distributed without warranty of any kind, either expressed or implied. The responsibility for the interpretation and use of the material lies with the reader. In no event shall the World Health Organization be liable for damages arising from its use.



FCTC

WHO FRAMEWORK CONVENTION
ON TOBACCO CONTROL